

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD DISCO,)	
)	
Petitioner,)	Civil Action No. 13-324
)	
v.)	Judge Cathy Bissoon
MR. BRIAN COLEMAN, <i>et al.</i> ,)	Magistrate Judge Robert C. Mitchell
)	
Respondents.)	

MEMORANDUM ORDER

On March 20, 2013, this case was referred to United States Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On July 15, 2013, the Magistrate Judge issued a Report (Doc. 14) recommending that Petitioner's action, filed under 28 U.S.C. § 2254, be dismissed, and that a certificate of appealability be denied. Service of the Report and Recommendation was made, and Petitioner has filed Objections. *See* Doc. 16.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

The Petition of Richard Disco for a writ of habeas corpus (**Doc. 1**) is **DISMISSED**, and a certificate of appealability is **DENIED**. The Report and Recommendation of Magistrate Judge Mitchell dated July 15, 2013 hereby is adopted as the Opinion of the District Court.

September 17, 2013

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record

cc (via First-Class U.S. Mail):

Richard Disco
JH-1908
SCI Fayette
Box 9999
LaBelle, PA 15450